

TOWNSEND & ASSOCIATES LLC.  
ATTORNEYS AT LAW

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FACSIMILE TRANSMITTAL SHEET

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|                                 |                                     |
|---------------------------------|-------------------------------------|
| TO:                             | FROM:                               |
| Celeste P. Holpp, Esq.          | Tyrone Townsend                     |
| COMPANY:                        | DATE:                               |
| Norman, Wood, Kendrick & Turner | 3/30/2007                           |
| FAX NUMBER (205) 251-5479       | TOTAL NO. OF PAGES INCLUDING COVER: |
|                                 | 9                                   |
| PHONE NUMBER:                   | SENDER'S REFERENCE NUMBER:          |
| (205) 259-1035                  | 252-3999                            |
| RE: NOTICES OF DEPOSITION       |                                     |
| CHRISTOPHER BROWN               |                                     |
| LENAY MARTIN                    |                                     |

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URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

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NOTES/COMMENTS:

Please review the attached Notices of Deposition, and contact me if you have any questions or concerns regarding this matter.

Thanks.

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334 SIXTH AVENUE SOUTH  
BIRMINGHAM, ALABAMA 35205  
205-252-3999

EXHIBIT

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

|                              |                     |
|------------------------------|---------------------|
| SHYANDREA AND MARY )         | )                   |
| HESTER, et al., )            | )                   |
|                              | )                   |
| Plaintiffs, )                | CIVIL ACTION NO.: ) |
|                              | ) CV-06-572-WHA     |
| v. )                         | )                   |
| LOWNDES COUNTY COMMISSION, ) | )                   |
| CHRISTOPHER BROWN, )         | )                   |
| EMERGSTAT, DEPUTY JIMMY )    | )                   |
| HARRIS, et al., )            | )                   |
|                              | )                   |
| Defendants. )                | )                   |

**NOTICE OF TAKING DEPOSITION**

TO: Celeste P. Holpp, Esq.  
NORMAN, WOOD, KENDRICK & TURNER  
Financial Center - Suite 1600  
505 20<sup>th</sup> Street North  
Birmingham, Alabama 35203

You are hereby notified that the Plaintiffs, SHYANDREA AND MARY HESTER, et al., will take the testimony by deposition of **CHRISTOPHER BROWN**, upon oral examination for the purpose of discovery or for use as evidence in this cause, or for both purposes, in accordance with the Alabama Rules of Civil Procedure, at the offices of TOWNSEND & ASSOCIATES, LLC, 334 6<sup>th</sup> Avenue South, Birmingham, AL 35205, on **Friday, April 6<sup>th</sup>, 2007, at 1:00 p.m.**, before a court reporter, notary public, or some other person authorized by law to administer oaths and take depositions. The

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examination will continue from day to day until completed. You are invited to attend and cross-examine.

Pursuant to Alabama Rules of Civil Procedure, notice is being given that the deponent is requested to produce at the time of the deposition, for inspection and copying the following documents or things:

1. Any and all reports, documents, other memoranda in Christopher Brown's possession involving the subjects, of this incident on May 28<sup>th</sup>, 2004.
2. A copy of the company policy and procedures manual, regarding the duties and procedures to be followed by Emergency Medical Technicians or Supervisors at Emergistar, Inc.

Respectfully submitted,

s/Tyrone Townsend

TYRONE TOWNSEND  
Attorney for Plaintiffs  
State Bar I.D. No.: ASB TOW006  
P.O. Box 2105  
Birmingham, Alabama 35201  
Tel: (205) 252-3999  
TTowns1@msn.com

**OF COUNSEL:**

James Earl Finley  
Attorney at Law  
P.O. Box 91  
Trussville, Alabama 35173  
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E-mail: [Finleylaw.Firm@msn.com](mailto:Finleylaw.Firm@msn.com)

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing document on all counsel of record by placing a copy of the same in the U.S. mail, postage prepaid and properly addressed on this the 30th day of March, 2007, as follows:

Celeste P. Holpp, Esq.  
NORMAN, WOOD, KENDRICK & TURNER  
Financial Center - Suite 1600  
505 20<sup>th</sup> Street North  
Birmingham, Alabama 35203

Respectfully submitted,

s/Tyrone Townsend

TYRONE TOWNSEND  
Attorney for Plaintiffs  
State Bar I.D. No.: ASB TOW006  
P.O. Box 2105  
Birmingham, Alabama 35201  
Tel: (205) 252-3999  
TTowns1@msn.com

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

|  |                                    |
|--|------------------------------------|
| SHYANDREA AND MARY )<br>HESTER, et al., )<br>)<br>Plaintiffs, )<br>)<br>v. )<br>LOWNDES COUNTY COMMISSION, )<br>CHRISTOPHER BROWN, )<br>EMERGSTAT, DEPUTY JIMMY )<br>HARRIS, et al., )<br>)<br>Defendants. ) | CIVIL ACTION NO.:<br>CV-06-572-WHA |
|--|------------------------------------|

NOTICE OF TAKING DEPOSITION

TO: Celeste P. Holpp, Esq.  
NORMAN, WOOD, KENDRICK & TURNER  
Financial Center - Suite 1600  
505 20<sup>th</sup> Street North  
Birmingham, Alabama 35203

You are hereby notified that the Plaintiffs, SHYANDREA AND MARY HESTER, et al., will take the testimony by deposition of **LENAY MARTIN**, upon oral examination for the purpose of discovery or for use as evidence in this cause, or for both purposes, in accordance with the Alabama Rules of Civil Procedure, at the offices of TOWNSEND & ASSOCIATES, LLC, 334 6<sup>th</sup> Avenue South, Birmingham, AL 35205, on **Friday, April 6<sup>th</sup>, 2007, at 1:30 p.m.**, before a court reporter, notary public, or some other person authorized by law to administer oaths and take depositions. The examination

will continue from day to day until completed. You are invited to attend and cross-examine.

Pursuant to Alabama Rules of Civil Procedure, notice is being given that the deponent is requested to produce at the time of the deposition, for inspection and copying the following documents or things:

1. Any and all reports, documents, other memoranda in Lenay Martin's possession involving the subjects, of this incident on May 28<sup>th</sup>, 2004.
2. A copy of the company policy and procedures manual, regarding the duties and procedures to be followed by Emergency Medical Technicians or Supervisors at Emergistat, Inc.

Respectfully submitted,

s/Tyrone Townsend

TYRONE TOWNSEND  
Attorney for Plaintiffs  
State Bar I.D. No.: ASB TOW006  
P.O. Box 2105  
Birmingham, Alabama 35201  
Tel: (205) 252-3999  
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**OF COUNSEL:**

James Earl Finley  
Attorney at Law  
P.O. Box 91  
Trussville, Alabama 35173  
Tel: (205) 655-9286  
Fax: (205) 655-9287  
E-mail: [Finleyjw@jewell.com](mailto:Finleyjw@jewell.com)

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing document on all counsel of record by placing a copy of the same in the U.S. mail, postage prepaid and properly addressed on this the 29th day of March, 2007, as follows:

Celeste P. Holpp, Esq.  
NORMAN, WOOD, KENDRICK & TURNER  
Financial Center - Suite 1600  
505 20<sup>th</sup> Street North  
Birmingham, Alabama 35203

Respectfully submitted,

s/Tyrone Townsend  
TYRONE TOWNSEND  
Attorney for Plaintiffs  
State Bar I.D. No.: ASB TOW006  
P.O. Box 2105  
Birmingham, Alabama 35201  
Tel: (205) 252-3999  
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